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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 LAS VEGAS DEVELOPMENT GROUP, LLC,)
11 Plaintiff(s),)
12 v.)
13 2014-3 IH EQUITY OWNER, LP, et al.,)
14 Defendant(s).)
15 _____)

Case No. 2:15-cv-00917-GMN-NJK
ORDER
(Docket No. 45)

16 Pending before the Court is Defendant Bank of America’s motion to stay discovery pending
17 resolution of its motion to dismiss. Docket No. 45; *see also* Docket Nos. 47, 52 (joinders).¹ Plaintiff
18 filed a response, which does not contest the relief sought. *See* Docket No. 54 (“Plaintiff does not oppose
19 the entry of a stay”). Moreover, the Court agrees that a stay of discovery is appropriate in this case
20 pending resolution of Defendant’s motion to dismiss. *See, e.g., Kor Media Group, LLC v. Green*, 294
21 F.R.D. 579, 581 (D. Nev. 2013) (outlining standards). Accordingly, Defendant’s motion to stay
22 discovery is hereby **GRANTED**. In the event resolution of the motion to dismiss does not result in the
23 termination of this case, the parties shall file a joint proposed discovery plan within 14 days of the
24 issuance of the order resolving that motion. The parties’ recently filed discovery plan (Docket No. 61)
25 is **DENIED** without prejudice.

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27 ¹ The motion is mislabeled as a motion to partially lift the stay in this matter. The stay was already
28 lifted. *See* Docket No. 44. The motion actually seeks a stay of discovery pending resolution of the motion
to dismiss. *Id.* at 3-4.

1 In its response, Plaintiff seeks to stay the entire case (including of the resolution of the motion
2 to dismiss). *See* Docket No. 54 at 7-9. A responsive brief is not a vehicle to seek relief. If Plaintiff
3 seeks an order staying the entire case, it must file a proper motion seeking such relief. *See* Local Rule
4 7-2(a). The Court does not opine herein as to the merits of such a request.

5 IT IS SO ORDERED.

6 DATED: April 3, 2018

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10 NANCY J. KOPPE
11 United States Magistrate Judge
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